

### **REMARKS**

This is in response to the Office Action of November 25, 2008, and the Notice of Non-Compliant Amendment dated May 26, 2009. This response replaces the original response to the Office Action, which was filed February 25, 2009. Except for the re-wording of the status descriptions of claims 1 and 37, this response is identical to the paper filed February 25, 2009.

In the Office Action all pending claims (1-46 and 57-59) were rejected, with the proviso that dependent claims 6, 7, 13, 22, 58, and 59 would be allowable if re-written in independent form and claim 23 would be allowable if re-written in independent form and corrected to overcome the section 112 rejection. Additionally, all claims have been provisionally rejected for obviousness-type double patenting on the basis of the claims of co-pending Application No. 10/593,499.

Applicants have amended the claims such that the allowed subject matter now appears in the various independent claims (1, 18, and 32), and have cancelled dependent claims 6, 22, 34, and 59 as being superfluous in view of the incorporation of their subject matter into other claims. The amendments, as explained in more detail below, render all the dependent claims associated with independent claims 1, 18, and 32 patentable over the cited art and places them in allowable form. Independent claims 46 and 57 have been cancelled, without prejudice.

More particularly, claim 1 has been amended to incorporate the subject matter of dependent claim 6. With this change, associated dependent claims 2-5, 7-17, and 58 should also be allowable. In addition to now including the subject matter of claim 6, claim 1 has also been amended (by eliminating "the one of" language) to make it more clear that one catalyst or additive can be individually vacuumed into the dust collector and weighed into the transfer pot (by the now-recited load cells) from one storage bin, and thereafter a different catalyst or additive individually vacuumed into the dust collector and weighed into the transfer pot from another of the "at least one" storage bins, before pressurization of the transfer pot and injection of the "catalyst and/or additives" from the transfer pot take place. While the system is designed to vacuum in, and thereafter inject, a weighed amount of a single catalyst or additive, it is also

capable, with the weigh cells, of vacuuming into the unit measured amounts of several different catalysts or additives, one at a time, prior to pressurization and injection.

Independent claim 18 has been amended to incorporate the subject matter of dependent claim 22, which had been indicated allowable. With this change (which also obviates the §112 rejection of claim 23), claim 18 and its associated dependent claims 19-21 and 23-31 should all be allowable.

Independent claim 32 has been amended to incorporate the subject matter of dependent claim 59 and intermediate dependent claims 34 and 37, with the exception that claim 32 still generally recites a “loading unit” rather than the more specific constituents of a loading unit – “dust collector” and “transfer pot” – as called for in intermediate claim 36. As applicant reads the office action, the allowability of dependent claim 59 was not based on the detailed recitation of dust collector and transfer pot, and therefore applicant has not so limited independent claim 32; instead this further characterization of the loading unit takes place in dependent claim 36. The language incorporated from claim 59 has also been modified, to make it more consistent with the existing recitation of first and second storage bins, by reciting that “the first and or second of the catalyst and/or additives”<sup>1</sup> can be drawn into the unit, the unit thereafter pressurized, and any catalyst and/or additives that had been drawn into the unit injected. With these amendments, independent claim 32 and associated dependent claims 33 and 35-45 should all be allowable.

Finally, applicant acknowledges the provisional obviousness-type double patenting rejection and will submit an appropriate terminal disclaimer upon indication that the application is otherwise in condition for allowance.

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<sup>1</sup> Modification from the language of claim 59 is shown in underlining here; it appears in the 7<sup>th</sup> and 9<sup>th</sup> lines of claim 32 as presented, amended, above.

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**PATENT**

Applicant believes the above provides a complete response to the Office Action of November 25, 2008, and that the claims are patentable and in condition to be allowed.

Respectfully submitted,

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/Gary H. Levin/

Gary H. Levin

Registration No. 28,734

Woodcock Washburn LLP  
Cira Centre  
2929 Arch Street, 12th Floor  
Philadelphia, PA 19104-2891  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439